

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 6/3/2024

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
FOSUN PHARMA USA INC.,
:

Plaintiff,
:

1:24-cv-115-GHW

-against-
:

ORDER

TODOS MEDICAL USA, INC., *and* CORONA
DIAGNOSTICS LLC,
:

Defendants.
:
----- X

GREGORY H. WOODS, District Judge:

Plaintiff moved for default judgment on its breach of contract claims against two defendants, Todos Medical USA, Inc. and Corona Diagnostics LLC. *See* Dkt. No. 56. The contract that Defendants allegedly breached is between Plaintiff and Todos Medical USA, Inc. *See* Dkt. No. 27 ¶ 13 (“Fosun Pharma entered into a distribution agreement with Defendant Todos Medical.”); *see also* Ex. A. Corona Diagnostics LLC does not appear to be a party to the contract.


If Plaintiff seeks a default judgment against Corona Diagnostics LLC on the breach of contract claim, Plaintiff should file supplemental briefing addressing the issue of how the Court could find Corona Diagnostics LLC in default for this claim given that Corona Diagnostics LLC does not appear to be a party to the contract. Plaintiff should file this supplemental briefing, if any, by no later than June 6, 2024 at 12:00 p.m. ET.

In addition, while the original complaint attached Exhibit A, the contract, *see* Dkt. No. 1-1, the amended complaint was not filed with the contract attached, *see* Dkt. No. 27. Plaintiff is directed

to refile the contract accordingly.

SO ORDERED.

Dated: June 3, 2024



GREGORY H. WOODS
United States District Judge